

To: Christenson, Kara[Christenson.Kara@epa.gov]
From: Jones, Joel E.
Sent: Wed 12/7/2016 11:37:31 PM
Subject: FW: Appeals Board Final Decision and Order
[MCAPHB Final Decision And Order.pdf](#)
[ATT00001.htm](#)

Fyi

From: Jones, Joel E.
Sent: Tuesday, December 6, 2016 6:20 PM
To: Chan, Janice <Chan.Janice@epa.gov>; Salazar, Matt <Salazar.Matt@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Subject: Fwd: Appeals Board Final Decision and Order

Ex. 5 & 7

Sent from my iPhone

Begin forwarded message:

From: "Don't Waste Arizona" <dwaz@fastq.com>
To: "Jones, Joel E." <Jones.Joel@epa.gov>
Subject: Appeals Board Final Decision and Order

Attached is the final order in the citizen's appeal of the Hickman's-Tonopah facility's minor modification permit. The appeals board closed the issue about using ARS 49-457 section 0 for referring dust and odor complaints to ADEQ after it was shown

that MCAQD was not legally justified in doing that as Tonopah is geographically outside the “regulated areas” set by the state statute. Also, now the Hickman’s-Tonopah facility will be evaluated as a Title V facility.

If you have any questions, let me know.

Steve Brittle

602-881-3305
